

Application ref: 2023/2692/P
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Date: 18 October 2024

Development Management
Regeneration and Planning
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WYDesign Ltd.
40 Galleywall Road
London
SE16 3PB
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused and Warning of Enforcement Action to be Taken

Address:

35 Gray's Inn Road
London
WC1X 8PG

Proposal: Installation of plant equipment to flat roof of building including air conditioning units, extractors, and associated ductwork. (Retrospective)

Drawing Nos: LP01; 206A; 207A; 208A; 209; 210; 211; Design and Access Statement W096.D&A01.231206 (prepared by WY Design, dated 06/12/2023); Noise Impact Assessment (prepared by Anglia Consultants, dated 07/11/2023); Noise Impact Assessment - Response Email (dated 26/04/2024); TCBTx2 Fans Datasheet; Gigabox Fans - Manufacturer Details; Gigabox Fans Datasheet; Air Conditioning Product Information - MSZ-AP R32; Air Conditioning Product Information - PLA-M R32.

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The proposed development, by virtue of insufficient noise mitigation associated with the roof-top plant equipment, would fail to achieve a minimum 'rating level' of 10dB below background levels at the nearest noise sensitive locations, and would thus fail to safeguard the amenity of neighbouring occupiers by virtue of potential noise nuisance, contrary to Policies A1 (Managing the impact of development) and A4 (Noise and vibration) of the London Borough of Camden Local Plan 2017.

- 2 The proposal has failed to justify the need for the air conditioning units, by way of a sufficient cooling statement and thermal modelling, thereby failing to demonstrate that carbon emissions would be minimised, contrary to Policies CC1 (Climate change mitigation) and CC2 (Adapting to climate change) of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

ENFORCEMENT ACTION TO BE TAKEN

The Council has authorised the Planning Department to instruct the Borough Solicitor to issue an Enforcement Notice alleging breach of planning control.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope
Chief Planning Officer